

**REMARKS**

Claims 1-2 and 4-26 are pending in this application. By this Amendment, claims 1-2, 4, 12, 14, 16, 24 and 26 are amended and claim 3 is canceled without prejudice or disclaimer. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; and/or (3) place the application in better form for appeal, should an appeal be necessary. More specifically, the above amendments incorporate features of the dependent claims (such as dependent claims 3-4) into the independent claims. Thus, no new issues are raised. Entry is thus proper under 37 C.F.R. §1.116.

The Office Action rejects claims 1-4 and 7-25 under 35 U.S.C. §102(b) over U.S. Patent 5,319,707 to Wasilewski et al. (hereafter Wasilewski). The Office Action also rejects claims 5, 6 and 26 under 35 U.S.C. §103(a) over Wasilewski in view of Applicant's Fig. 1. The rejection is respectfully traversed with respect to the pending claims.

Independent claim 1 recites that the data includes a header subframe containing frame mapping information of data to be transmitted to a plurality of terminals and data subframes containing data multiplexed therein, and to be transmitted to the plurality of terminals at a present time in correspondence to frame mapping information transmitted in advance. The frame mapping information transmitted in advance includes subframe numbers arranged in a

Reply to Office Action dated August 22, 2006

specific order to correspond to positions of the corresponding multiplexed subframes in a current frame.

Wasilewski does not teach or suggest all of the features of independent claim 1. More specifically, Wasilewski does not teach or suggest that the frame mapping information transmitted in advance includes subframe numbers arranged in a specific order to correspond to positions of the corresponding multiplexed subframes in a current frame. Similar features were recited in previous dependent claims 3 and 4. When discussing dependent claims 3 and 4, the Office Action cites Wasilewski's FIGs. 15 and 19A, as well as col. 29, lines 30-47, col. 3, lines 14-17, col. 7, lines 60-67, and col. 24, lines 27-42. The Office Action states that each subframe is ordered and labeled with proper definitions such as VCMD1, VCMD2. The Office Action also states that the subframes are multiplexed at the encoder and each subframe data is mapped. However, this does not suggest that subframe numbers are arranged in a specific order corresponding to positions of the corresponding multiplexed subframes in a current frame. Accordingly, Wasilewski does not teach or suggest all the features of independent claim 1.

Independent claim 16 recites multiplexing the formed subframes according to subframe mapping information transmitted in advance and transmitting the multiplexed subframes together with subframe mapping information of the subframes to be transmitted thereafter. Independent claim 16 also recites that the subframe mapping information includes subframe numbers in a specific order to correspond to positions of formed subframes to be transmitted thereafter in a subsequent frame. For at least similar reasons as set forth above, Wasilewski does

Reply to Office Action dated August 22, 2006

not teach or suggest all the features of independent claim 16. Thus, independent claim 16 defines patentable subject matter.

Independent claim 24 recites the data including a header subframe containing a plurality of subframe numbers relating to data for a plurality of terminals, and a plurality of data subframes each containing data to be transmitted to the plurality of terminals, wherein an order of the plurality of data subframes identifies an order of subframe numbers transmitted in a previous frame, and transmitting the data. For at least similar reasons as set forth above, Wasilewski does not teach or suggest all the features of independent claim 24. Thus, independent claim 24 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 16 and 24 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, each of the dependent claims recites features that further and independently distinguish over the applied references.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-2 and 4-26 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

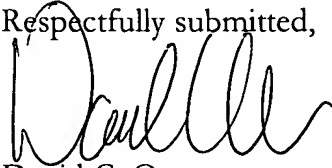
Serial No. **10/029,252**

Docket No. **K-0370**

Reply to Office Action dated August 22, 2006

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,



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**Date: February 20, 2007**

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